

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ROBERT LYNN BIG LEGGINS,

Defendant.

CR-06-127-GF-BMM-01

ORDER

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter November 8, 2016. (Doc. 62.) Neither party filed objections. When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Thomas v. Arn*, 474 U.S. 140, 149-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on November 1, 2016. (Doc. 62 at 3.) Big Leggins admitted that he violated the conditions of his supervised release. The violations prove serious and warrant revocation of Big Leggins's supervised release. Judge Johnston has recommended that the Court revoke Big

Leggins's supervised release and commit Big Leggins to the custody of the Bureau of Prisons for twelve months and one day, with no supervised release to follow. *Id.* at 5.

The Court finds no clear error in Judge Johnston's Findings and Recommendations. Big Leggins's violations of his conditions represent a serious breach of the Court's trust. A sentence of twelve months and one day custody followed by no supervised release, represents a sufficient, but not greater than necessary, sentence.

IT IS ORDERED that Judge Johnston's Findings and Recommendations (Doc. 62) is ADOPTED IN FULL.

IT IS FURTHER ORDERED that Defendant Robert Lynn Big Leggins be sentenced to twelve months and one day custody followed by no supervised release.

DATED this 23rd day of November, 2016.



Brian Morris
United States District Court Judge